trustees will see in this piece of legislation a recognition and a reward for their past meritorious services and a legislative commandment to their neighbours to follow their noble example and do likewise, that the souls of the departed donors may rest in peace in the satisfaction that their beneficence is maintained and perpetuated, that future benefactors might feel prompted and encouraged to follow in the wake of the illustrious dead and help their lesser countrymen, in the firm confidence that trusts once created will remain intact and cared for, for all time to come, and that thus the general prosperity of the nation might develop and increase in every way."

Mr. Nagam Aiya then proposed that the discussion of the principle of the Bill be postponed to the next meeting.

The motion was put and agreed to.

VAKILS REGULATION AMENDMENT BILL.

Mr. Ramier.—I beg to move the following verbal amendments in the Bill, *viz*,. in section 24 to substitute 'to' for 'by' in line 2, in section 30 to substitute 'consequent on' for 'for' in line 8, and in section 31, to insert 'fining' between 'transferring' and 'suspending' in line 7. These amendments are merely corrections in drafting.

Seconded by Mr. Kochukrishna Marar.

Carried.

Mr. Ramier.—I beg to move that the Bill as amended be passed and that it come into force on the 1st Chingom 1076.

Seconded by Mr. Prince.

The motion was put and agreed to.

TOBACCO REGULATION AMENDMENT BILL.

Mr. Thanu Pillai.—I beg to move that the Select Committee's Report on the Bill to amend the Tobacco Regulation which was presented at the last meeting of the Council be taken up for consideration.

The Bill contains two important provisions—one enabling Government to declare that in any local area the sale of tobacco shall be carried on only under a license, and the other empowering certain classes of officers to search without a warrant from a Magistrate, buildings suspected to contain contraband tobacco, to seize the same if found, and to arrest the persons concerned in the keeping or sale of such article.

Sections 1 and 2 of the Bill which deal with the first of the above provisions have been adopted by the Select Committee with very slight modification. My friend, Mr. Ramier, while signing the report, has recorded a note expressing his apprehensions as to the tendency of this provision. I am quite at one with Mr. Ramier in his view generally of the possible inconvenience and hardship which the rigorous enforcement of a system of license, in respect of an article of general consumption, would cause to the trader as well as the consumer. But it is not intended to introduce the system generally or in any considerable area. It will be confined to a very limited area—possibly to a few villages in the frontier taluks. It may perhaps be said that, with the utmost respect to and confidence in Government, the wisdom of inserting in the law a provision which, if used without proper judgment, may prove injurious to the public, in the hope that it is not likely to be so used, is questionable. My answer is that, in the present case, the interests of Government—not the interests in the broad sense which should always harmonise with the interests of the people—but the financial interests of Government for the protection of which alone the provision in question is intended, would dictate a policy of non-interference, or at all events, of minimum possible interference; for, other things being equal, consumption would vary directly with freedom of trade, and the license

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system which, however cautiously enforced, involves some restriction will, therefore, be had recourse to only when and so far as it is found to be absolutely necessary. This circumstance, even on the assumption that revenue is the chief concern of Government affords ample guarantee against any incautious and unnecessary application of the provision. I may add that there is reason to believe, that smuggling to a more or less consid rable extent prevails in certain tracts on or near the frontier, and in the opinion of experienced local officers, a system of license would go a great way towards checking illicit trade. The object of the provision is to prevent illicit dealings and not by any means to hamper licit trade or restrict licit consumption. The license, it will be observed, will be granted free and every care will be taken to minimize, if not altogether prevent inconvenience and delay in obtaining it.

Section 3 of the Bill which provides for searches &c. without a warrant has been materially modified. Several safe-guards have been introduced to minimize the chance of abuse of the power. Searches can be made only by officers specially empowered in that behalf, and only in cases of emergency, i. e. when the delay in obtaining a search-warrant would prevent the discovery of the suspected article. Searches can be made only between sunrise and sunset. Before making the search, the officer is bound to record in writing the name &c. of the informant, if any, the name &c. of the place where and of the person by whom the contraband article is kept or sold, the quantity of the article, and the grounds for believing that such article is kept. If any arrest is made, the person arrested should be released on bail if and so soon as bail is produced.

The power conferred by the section is doubtless capable of being turned into an engine of oppression by unprincipled subordinates in out of the way places, but experience has shown the need for such power for the protection of the tobacco revenue. It may, however, be reasonably hoped that the safe-guards above indicated together with the provision contained in section 12 of the Tobacco Regulation (VIII of 1063) which lays down heavy penalty for vexatious or unnecessary searches or arrests will greatly minimize the chances of abuse.

I do not think I need say anything about the other sections of the Bill.

Seconded by Mr. Prince.

Carried.

No amendments having been proposed, Mr. Thanu Pillai moved that the Bill be read again on a future day, of which notice shall be given.

The motion was put and agreed to.

BILL TO AMEND THE TOWNS CONSERVANCY AND IMPROVEMENT REGULATION, II OF 1039.

Mr. Thanu Pillai.—In the ordinary course of business, I should have moved for the report of the Select Committee on the Bill to amend the Towns Conservancy and Improvement Regulation being taken into consideration at the last meeting of the Council. I had, however, some doubt then whether the report and the Bill as amended by the Committee were sufficiently long before the public; and as it was obviously desirable to afford the public the fullest opportunity of forming and expressing their opinion on this important measure, I asked and obtained the permission of the Council to defer the consideration of the report to this meeting

The Select Committee subjected the Bill as introduced to careful scrutiny. The suggestions made by the High Court, the several Town Improvement Committees, and the public received its best consideration, though, I regret, all the papers placed before the Committee were not expressly referred to in the marginal note in the report. Some material alterations have been made by the Select Committee and these are fully set forth in the report. I would here confine myself to a few of the more important amendments.

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